

Remarks

Claims 19 and 27-39 are pending herein. By this Amendment, claim 19 has been amended and new claims 40-43 have been added.

Claim 19 has been amended to state that the composition set forth therein is the uppermost coating on the lithographic printing plate. Support for this amendment can be found, e.g., in the Examples in the specification which do not disclose any other coating as the outermost coating on the lithographic printing plate.

New claim 40 depends upon claim 19 and recites that the composition described in claim 1 is the only coating on the lithographic printing plate. Support for this amendment can be found, e.g., in the Examples in the specification which do not disclose any other coating on the lithographic printing plate.

New claim 41 is an independent claim corresponding to original claim 19 except that claim 41 omits the term “optionally” relative to the stabilizing acid.

New claim 42 depends upon claim 41 and recites that the composition is the outermost coating on the lithographic printing plate.

New claim 43 depends upon claim 41 and recites that the composition is the only coating on the lithographic printing plate.

According to the Office Action, the indicated allowability of claims 19 and 27-39 is withdrawn in view of the newly discovered reference, U.S. Patent No. 4,943,511 to Lazarus (“Lazarus”).

In the Office Action, claims 19 and 27-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,786,125 to Tsuchiya et al. (“Tsuchiya”) in view of Lazarus.

In view of the amendments and remarks herein, Applicants respectfully request reconsideration and withdrawal of the rejection set forth in the Office Action.

I. The Rejection

In the § 103(a) rejection of claims 19 and 27-39 as being unpatentable over Tsuchiya in view of Lazarus, Tsuchiya is cited for exemplifying, in Examples 1-5, the

preparation of a positive light sensitive lithographic printing plate, wherein the substrate is an aluminum plate which has been textured and anodized and which is coated with a coating solution and dried to form a primer layer. A light sensitive layer is then coated on the primer layer and dried to a weight of 2 g/m^2 . The light sensitive layer comprises (1) a carbon black dispersion, (2) bisphenol A-formaldehyde resol resin, (3) m-cresol-formaldehyde novolak resin, (4) an acid precursor, (5) a surfactant and (6) a solvent. According to the Office Action, the use of bisphenol A-formaldehyde resol resin and m-cresol-formaldehyde novolak resin meets the limitations of the claimed dual polymer binder system wherein bisphenol A-formaldehyde resol resin is the second polymer which is the product of bisphenol A and an aldehyde and m-cresol-formaldehyde novolak resin is the first polymer which is the product of m-cresol and an aldehyde. The Examiner states that compound (III-2) exemplified in Tsuchiya's Example 1 meets the limitations of the claimed iodonium salt having a hexafluorophosphate anion. Specifically, according to the Examiner, compound (III-2) is diphenyliodonium hexafluorophosphate as set forth in instant claim 34. The Examiner further states that compounds (I-2) and (II-2), used in Examples 3 and 5, respectively, in Tsuchiya, meet the limitations of a dye derived from the oxazolyl class as set forth in instant claim 30. In addition, Tsuchiya is cited for its teaching in Example 1 therein of the application of a silicon rubber layer over the light sensitive layer and laminating with a stretched polypropylene film to obtain a light sensitive lithographic printing plate. The resulting plate was exposed with a YAG laser, the laminated film was pressed off, the plate was heated and then developed.

The Office Action states that Tsuchiya teaches all the limitations of the instant claims except that it does not teach a curing step after development. The Office Action cites Lazarus for its teaching of a process wherein a positive working system was developed and then post-baked in an air circulating oven at about 150°C for 30 minutes to increase the adhesion and chemical resistance of the undissolved portions of the coatings. According to the Examiner, Lazarus discloses what is well known and conventional in the art of photolithography and that one of ordinary skill in the art would have been motivated by what is well-known and conventional in the art, as exemplified by Lazarus, to post-bake

the developed system of Tsuchiya in order to increase the adhesion and chemical resistance of the undissolved portions of the coatings.

Applicants respectfully submit that Tsuchiya in view of Lazarus would not have rendered instant claims 19 and 27-43 obvious.

Claim 19 has been amended to state that the composition recited therein is the uppermost coating on the lithographic printing plate. Tsuchiya teaches that the uppermost coating on the lithographic printing plate therein is a silicone rubber layer. Heating the lithographic printing plate in the Examples set forth in the instant application “cures” the coating so as to render it insoluble to the aqueous alkali developer. In Tsuchiya, heating carries out this function and also binds the silicone layer to the layer underneath to prevent it from being washed away during the VOC wash and scrub. Tsuchiya does not teach or suggest having the light-sensitive composition therein form the uppermost coating on the lithographic printing plate. In fact, Tsuchiya requires the silicone rubber layer to be disposed on top of the light-sensitive layer. Even if the lithographic printing plate assembly taught in Tsuchiya were subjected to curing in view of Lazarus, the resulting process would not render Applicants’ claimed process obvious because Applicants’ process does not involve curing a lithographic printing plate assembly that has a silicone rubber layer as the outermost layer.

New claims 40 and 43 recite that the composition is the only layer on the lithographic printing plate. As noted above, Tsuchiya teaches the additional use of a silicone rubber layer. Lazarus does not cure this deficiency in Tsuchiya’s teachings.

In new claims 41-43, the composition used in the claimed process further includes a stabilizing acid. Tsuchiya does not teach the use of a stabilizing acid. Lazarus does not cure this deficiency in Tsuchiya’s teachings.


Thus, for at least the foregoing reasons, Applicants respectfully submit that amended claim 19, claims 27-39 (which depend directly or indirectly upon claim 19) and new claims 40-43 would not have been obvious over Tsuchiya in view of Lazarus.

II. Conclusion

In view of the remarks and amendments herein, Applicants respectfully request that the rejection set forth in the Office Action be withdrawn and that claims 19 and 27-43 be allowed.

Respectfully submitted,

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